

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JUAN SANCHEZ,

Plaintiff,

v.

ADVANCE AMERICA, CASH
ADVANCE CENTERS OF
CALIFORNIA, LLC,

Defendant.

No. 2:23-cv-01991-DAD-AC

ORDER GRANTING JOINT STIPULATION
TO TRANSFER VENUE TO THE DISTRICT
OF SOUTH CAROLINA

(Doc. No. 7)

On November 1, 2023, the parties filed a joint stipulation requesting that this action be transferred to the United States District Court for the District of South Carolina because there are eight related cases pending before District Judge Donald C. Coggins in that district and “it would be in the interests of justice and serve the convenience of the courts and the parties to have the instant case transferred.” (Doc. No. 7 at 3.) According to the parties, the eight related cases “raise substantially similar claims related to the same data security incident, on behalf of substantively identical putative class(es) as this action.” (*Id.* at 2.) Those eight related cases pending before Judge Coggins are: Case Nos. 7:23-cv-04256-DCC; 7:23-cv-04257-DCC; 7:23-cv-04283-DCC; 7:23-cv-04286-DCC; 7:23-cv-04304-DCC; 6:23-cv-04347-DCC; and 6:23-cv-04354-DCC; and 7:23-cv-04573-DCC (collectively, the “Related Actions”). (*Id.*) On October 26, 2023, the Related Actions were consolidated into the first-filed case, *Hernandez*, Case No.

1 7:23-cv-04256-DCC. (*Id.*) In addition, the parties represent that a ninth class action was ordered
2 by the District of Nevada to be transferred to the District of South Carolina, but that case is still
3 pending receipt and has not yet been assigned a case number in the District of South Carolina.
4 (*Id.* at 2 n.1.)

5 “For the convenience of parties and witnesses, in the interest of justice, a district court
6 may transfer any civil action to any other district or division where it might have been brought or
7 to any district or division to which all parties have consented.” 28 U.S.C. 1404(a). Here, the
8 parties’ stipulation shows that all parties have consented to transferring this case to the District of
9 South Carolina. In addition, according to the parties’ stipulation, “the convenience of the parties,
10 witnesses, and availability of evidence support transfer because Defendant’s principal place of
11 business is in South Carolina, witnesses and sources of proof for this matter are more likely to be
12 found in South Carolina than California.” (Doc. No. 7 at 2.) The parties also agree that
13 transferring this action to the District of South Carolina would allow the case to be consolidated
14 with the Related Actions. (*Id.* at 3.) Relatedly, the parties have already agreed that defendant’s
15 response to this complaint shall be due 45 days after a forthcoming “consolidated amended
16 complaint” is to be filed in the District of South Carolina.¹ (*Id.* at 3.) Most notably, the Related
17 Actions and this action are putative class actions regarding the same data breach incident and
18 assert substantially similar claims as the consolidated *Hernandez* action. (*See Hernandez*, Case
19 No. 7:23-cv-04256-DCC, Doc. No. 1.) Thus, pursuant to the parties’ stipulated request to transfer
20 this action, and for the sake of judicial economy and efficiency, and in the interest of justice, the
21 court will transfer this action to the United States District Court for the District of South Carolina.

22 Accordingly,

- 23 1. The parties’ stipulated request to transfer this action to the United States District Court
24 for the District of South Carolina (Doc. No. 7) is granted;

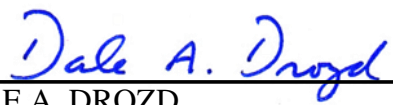
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26
27 ¹ Although the parties have stipulated to defendant’s responsive pleading deadline and seek an
28 order effecting their agreement, the court will defer to Judge Coggins in this respect and allow
him to set the appropriate responsive pleading deadline for defendant.

2. The court hereby transfers this action to the United States District Court for the District of South Carolina;
3. The court further orders the Clerk of the Court for the Eastern District of California in Sacramento, to forward all filings in this action to the United States District Court for the District of South Carolina; and
4. The Clerk of the Court for the Eastern District of California shall close this case upon completion of the transfer.

IT IS SO ORDERED.

Dated: November 3, 2023



DALE A. DROZD
UNITED STATES DISTRICT JUDGE